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14 *Attorneys for Plaintiff AEVOE CORP.*

15 UNITED STATES DISTRICT COURT

16 DISTRICT OF NEVADA

17 AEVOE CORP., a California corporation,

18 Plaintiff,

19 vs.

20 SHENZHEN MEMBRANE PRECISE  
 ELECTRON LTD., a China corporation,

21 Defendant.  
 22

Case No. 2:12-cv-00054-GMN-PAL

**STIPULATION AND ORDER FOR  
 A PERMANENT INJUNCTION**

23 WHEREAS, the Court issued a Temporary Restraining Order on January 12, 2012, to  
 24 enjoin Defendant Shenzhen Membrane Precise Electron Ltd. and its legal successors and  
 25 assigns, parents, subsidiaries, affiliates, and companies under common ownership or control  
 26 (collectively, "Shenzhen Membrane") from selling products infringing upon Plaintiff Aevoe  
 27 Corp.'s U.S. Patent No. 8,044,942 (the '942 Patent"), ECF No. 9;  
 28

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1 WHEREAS, the Court held the Order to Show Cause hearing on January 23, 2012, on  
 2 why an injunction should not issue enjoining and restraining Shenzhen Membrane from  
 3 practicing or otherwise using the '942 Patent, or any reproduction, counterfeit, copy or  
 4 colorable imitation concerning the same, pending trial;

5 WHEREAS, the Court found that (a) the '942 Patent is presumptively valid and that  
 6 Shenzhen Membrane failed to raise a substantial question concerning the validity and  
 7 enforceability of the '942 Patent; (b) Aevoe will likely succeed on the merits of its patent  
 8 infringement claims against Shenzhen Membrane; (c) Aevoe will likely be irreparable harmed  
 9 if a preliminary injunction is not granted; (d) the balance of hardships weigh in favor of Aevoe;  
 10 and (e) the public interest weighs in favor of granting injunctive relief;

11 WHEREAS, the Court issued a Preliminary Injunction on January 26, 2012, to enjoin  
 12 Shenzhen Membrane from practicing, making, manufacturing, using, importing, offering to sell,  
 13 and or selling products that infringe the '942 Patent, or any reproduction, counterfeit, copy, or  
 14 colorable imitation of the same, and from transferring, moving, returning, destroying, or  
 15 otherwise disposing of its infringing goods pending a trial on the merits, ECF No. 31;

16 WHEREAS, Aevoe entered a substantial bond concerning the Preliminary Injunction  
 17 (the "Bond");

18 WHEREAS, the Parties have agreed to the terms of a confidential Settlement  
 19 Agreement to resolve any and all disputes between the Parties concerning allegations of  
 20 infringement of Aevoe's '942 Patent;

21 WHEREAS, the Parties have agreed to the Permanent Injunction below as a condition  
 22 for the Settlement Agreement; and

23 WHEREAS, the Parties have agreed to enter a Stipulation and Notice of Voluntary  
 24 Dismissal with Prejudice after the Court enters the Permanent Injunction,

25 THE PARTIES HEREBY STIPULATE THAT.

26 ...

27 ...

28 ...

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The Court's January 26, 2012, Order for a preliminary injunction against Shenzhen Membrane, is hereby made a Permanent Injunction against Shenzhen Membrane;

This Permanent Injunction shall extend to any and all Shenzhen Membrane touch-screen protectors covered by the '942 Patent, whether for the iPad, iPhone, iPod, Kindle, Android and Droid devices, or any other device with touch-screen functionality, having an adhesive perimeter and a non-adhesive window corresponding generally to the touch-screen portion of the device to which the protector is intended to be attached. For the avoidance of doubt, an adhesive perimeter of any thickness is still within the scope of the '942 Patent or is insubstantially different from it, and an adhesive perimeter that is divided by spaces, channels, or gaps such that the adhesive is not fully continuous around the perimeter is still within the scope of the '942 Patent or is insubstantially different from it;

This Permanent Injunction shall not extend to any touch-screen protector that is fully adhesive to the face of a touch screen device, with no non-adhesive portion, and such products shall not be deemed to be within the scope of the '942 Patent or its equivalents; and

The Bond is dissolved and shall be returned to Aevoe.

DATED: July 3, 2012

DATED: 19<sup>th</sup> June, 2012

McDONALD CARANO WILSON LLP

INTELLECTUAL PROPERTY LAW  
GROUP, LLP

By: 

By: 

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ORDER

**IT IS SO ORDERED** this 3rd day of July, 2012

  
Gloria M. Navarro  
United States District Judge

Submitted by:

McDONALD CARANO WILSON LLP

By:

  
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